

NECESSITY OF ZAKAT & THE PROHIBITION OF FUNERAL FEAST

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NECESSITY OF ZAKAT

Question: 1 What is the verdict of the learned scholars of Islam if a person does not pay Zakat on his wealth but spends the money in good deeds i.e. he distributes money and Grain amongst the poor as charity, builds a Mosque and gives a village as a gift out of Zakat money so that he could employ its profit in good deeds for the whole of his life. On this subject one person says that no kind of charity is justified with money, which has not been paid in Zakat. Daily charity, the construction of a mosque and the gift of the village are in vain.

And so we request your verdict on whether the money of which Zakat has not been paid, is allowed to be used in deeds of welfare in Islam or is not allowed. Perhaps the Gift of the Village should be taken back and it should be further endowed so that its profit may be used to pay the unpaid Zakaat of the past? May Allah Ta'ala reward you?

Answer: 1 Zakat is the one of the Greatest Obligation (Fard) and important fundamentals of Islam and hence it has been mentioned along with the ritual prayer (Salaat) Thirty-Two times in the holy Qur'an and Allah Ta'ala has called his slaves to this important obligation in various ways and declared clearly that whatever you pay as Zakat doesn't decrease your wealth, rather wealth is increased due to this.

Allah Ta'ala says; " Allah destroys the interest (Riba) and increases the Charity (2:276):

Harmful growths affect some trees so that to check their blooming. The Foolish will not prune them because they think that so much will be taken from the plant, but a wise person knows that pruning them

will help a tree to bloom. The same is the case with Zakat wealth.

Hadith 1: Bazzaz and Baihaqi report from Umul Momineen (the mother of the Believers) Hazrat Ayesha Siddiqah (Radi Allahu Ta'ala Anha) that the holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says: " Zakat money will not destroy wealth but it will be added to it ".

Hadith 2: Tibrani quotes in Ausat with reference to Hazrat Abu Hurairah and he reports from Amirul Momineen Umer-Farooque (Radi Allahu Ta'ala Anhuma) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " Whatever wealth goes to waste in land and sea, is destroyed due to non-payment of Zakat ".

Hadith 3: Ibn Kuzaima in his Sahih, Tibrani in Ausat and Hakim in Mustadrik report from Jabir Ibn Abdullah (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " Undoubtedly Allah Ta'ala removed the evil of his wealth from him who paid Zakat ".

Hadith 4: Baihaqi reports from a group of companions (Radi Allahu Ta'ala Anhum) that the Exalted Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) states; " Protect your wealth as though in a strong fort by paying its due Zakat and treat your sick with Charity".

See how an unwise villager, who has no wheat seed, gets it with many difficulties through debt and then sows it in the earth. At that time he mixes it into the dust with his hands but he hopes that Inshaallah this loss will be turned into much grain. Haven't you the same sense as that villager, with the result that you rely on outward means, and do not believe in Allah Ta'ala's saying and do not sow

the seed of Zakat to increase your wealth and so turn every grain of yours into a tree. He says that if you pay Zakat, your wealth will be increased. If you do not completely believe this, than it is definite infidelity. Who is more foolish than you, who sacrifices such great worldly and religious gain and invites the trouble of the loss of both worlds?

Hadith 5: Bazzaz reports from Alqama that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says: "The completion of your Islam is that you pay Zakat On your wealth".

Hadith 6: Tibrani reports in Kabeer from Hazrat Abdullah Ibn Umer (Radi Allahu Ta'ala Anhuma) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " To pay Zakat on his wealth is a duty for him who believes in Allah Ta'ala and his Messenger i.e. It is the Demand of Imaan that Zakat has to be paid".

Hadith 7: Bukhari and Muslim Quote from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " He who had gold or silver and dose not pay Zakat will be Punished in a such manner that on the Day Of Judgment this gold and silver shaped into plates, will be heated in the fire of Hell and his forehead, side and back will be branded with them and when those plates go cold again they will be heated again and he will be branded with them and this will go on the whole day until the account of every creature is cleared. Note that the Day of Judgment is equal to fifty Thousand years of this world".

Allah Ta'ala says; " And those who hoard gold and silver and spend not in the path of Allah Ta'ala, give them the good tidings of painful torment. The day when their wealth shall be heated in the fire of hell, and their foreheads, sides and backs shall be

branded with it. This is what you have hoarded for yourselves. Now Taste the Hoarding! ”.

And do not think this Branding will be merely a touch of the fire or will only be enough to make the forehead, back or side sweat, and no more. But listen to its Description in the Hadith.

Hadith 8: Bukhari and Muslim Quote with reference to Ahnaf Bin Qais that Hazrat Abu Zar (Radi Allahu Ta'ala Anhu) Says: " The Hot Stone of hell will be kept on their nipples and will burst the chest, and then will be held to their sides and their bones will burst the chest."

He Further reports that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " The Stone, after breaking the back will emerge from the side and break the nape of the neck and will emerge from the forehead." This Hadith has been reported by Sahih Muslim.

Hadith 9: Tibrani reports in Kabeer from Hazrat Abdullah Bin Masood (Rid Allahu Ta'ala Anhu): " Neither will any penny rest on another nor gold coin touch another but rather the body of the person who didn't pay Zakat will swell so much that if there were millions of pennies, every penny would brand separately."

Do you consider the commandments of Allah Ta'ala and his Messenger (Sallallahu Alaihi Wa Sallam) merely a joke and fun or think that the suffering of heart breaking pains for Fifty Thousand years will be easy? For a while just keep a heated coin on your body and compare this little heat with that fire of anger, and thi one minutes pain with thousands of years of Catastrophe and this light touch with that anger which breaks bones. May Allah Ta'ala guide the Muslims. Aameen!

Hadith 10: Ibn Maja, Nasai and Ibn Khuzaima reports from Ibn Masood (Radi Allahu Ta'ala Anhu) that the Chosen Prophet (Sallallahu Ta'ala Alaihi Sallam) says: " The Wealth whose Zakat will not be paid will be shaped into a bold dragon and fall on the neck of the person who hasn't paid the Zakat. Further, the leader of the Universe (Sallallahu Ta'ala Alaihi Wa Sallam) confirmed it with the Holy Quran where Allah Ta'ala says: " What they were mean with, will be their necklace on the Day Of Resurrection: (Ale Imran. 180).

Hadith 11: Muslim reports from Hazrat Jabir (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " A Dragon with an open mouth will run after him. He will escape. Allah Ta'ala will say to him, " Take the Treasure Which You Concealed and about Which I Don't Care." "When he sees that there is no refuge from the dragon, helpless, he will put his hand in its mouth and it will chew it as a Camel Chews."

Hadith 12: Bazzaz, Tibrani, Ibn Khuzaima and Ibn Hibban quote with reference to Sauban (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " When the Dragon will run after him, he will ask, who are you? It will say, I am your unpaid Zakat, which you left after your death. When he sees that it goes on following him, he will put his hand and then his whole body."

Hadith 13: Bukhari and Nasai report from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " The Dragon Taking his hand in its mouth will say, I am your wealth, I am your Treasure!"

Hadith 14: Tibrani reports from Hazrat Ali (Karamallahu Ta'ala Wajhul Karim) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; "The Poor will suffer hunger and nakedness in the world only because of the rich. Listen! Allah Ta'ala will Judge the Accounts of the rich very Harshly and punish them in a heart breaking way."

Hadith 15: Ibn Khuzaima Ahmad Aabu Yala and Ibn Hibban report from Abdullah Bin Masood (Radi Allahu Ta'ala Anhu), "A person who fails to pay Zakat is cursed as the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) described."

Hadith 16: Asbahani reports that Maula Ali (Karamallahu Ta'ala Wajhul Karim) says: "The Messenger of the Allah (Sallallahu Ta'ala Alaihi Wa Sallam) said that usurpers, person encouraging usurpy, witness to usurpy and writers of the document of usurpy are cursed on the Day Of Resurrection."

Hadith 17: Tibrani and Abu Sheikh Report from Anas (Radi Allahu Ta'ala Anhu) that the Messenger of Allah Ta'ala (Sallallahu Alaihi Wa Sallam) says: "There is an Evil for the rich which is brought by the poor on the Day Of Resurrection. The poor will ask, 'Our Lord! They Usurped our rights which you made obligatory for them towards us,' Allah Ta'ala will say, 'I swear by My Honor that I will grant you nearness to me and keep them very far from me.'"

Hadith 18: Bazzaz reports from Hazrat Abu Hurairah (Radi Allahu Ta'ala Anhu): "The Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) saw some people who were wearing dirty rags on their front and back sides. They were eating like animals, the hot fire of hell and stone, cactus and hard, Sour, Burning and

Evil smelling grass. He (Sallallahu Alaihi Wa Sallam) asked Hazrat Jibrael (Alaihisalaam), who they were. He (Hazrat Jibrael Alaihisalaam) replied that they were defaulters on Zakat and Allah Ta'ala had not been unjust to them. Allah Ta'ala dose not tyrannies over his slave."

Hadith 19: Tirmizi, Darqutni, Ahmed, Abu Dawood and Nasai report from Abdullah Bin Umer (Radi Allahu Ta'ala Anhu):

"Two women wearing gold bracelets attended to the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam). He then asked if they had had paid their Zakat? They replied humbly that they hadn't. He asked them if they would like Allah Ta'ala to make them wear bracelets of fire. They replied humbly, 'No!' He, than ordered them to pay Zakat on them."

Hadith 20: Abu Dawood and Darqutni report from Ummul Momineen (Mother Of the Believers, Radi Allahu Ta'ala Anha):

"A lady was wearing silver rings. The Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) asked, will you pay Zakat on them? She refused to pay more than a little. He said that this was enough to carry her to Hell."

Hadith 21: Tibrani Reports from Hazrat Anas (Radi Allahu Ta'ala Anhu) that his Honour the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " A Person Who Fails to pay Zakat will be in hell on the Day Of Resurrection."

Hadith 22: Abu Khuzaima and Ibn Hibban report from Hazrat Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " First of all three types of person will go to Hell. Among them one will be that rich person who doesn't pay Allah Ta'ala's due from his wealth."

In short, heart-rending disaster for failure to pay Zakat are such that they cannot be tolerated. A person who fails to pay Zakat should expect to be involved in these heart-breaking torments for thousands of years. A Weak man couldn't bear this. If these were inflicted on mountains, they would be turned into fine powder and dust. Then who is more foolish than he who uses his wealth in all sorts of charity and lets Allah Ta'ala due remain unpaid? This is great deception of Satan who destroys a man under the guise of virtue. The fool thinks that he is doing good deeds but doesn't understand that the Nafil without Fard is merely a false pretence. There is no hope of its acceptance but torment is inflicted to pay it properly.

How sad! Fard is a Royal debt and Nafil is like a gift and offering. If you do not pay the due and offer excessive and useless gifts, how can they be accepted particularly in the court of that Emperor who has no need of the entire Universe? If you do not believe this, imagine the men who are called the ruler of the world. Imagine if any landlord stops the payment of the land revenue and uses it to send presents of fruit, etc. see if he is found guilty or if his presents of fruit bring good result. For a while a man should do a little heart searching. Suppose there is a contract of sugar cane juice between the dealers and a sugar cane crusher owner. Imagine if, when the time to supply comes, they do not supply the juice but instead present him with mango and musk melon. Will the cane crusher owner agreed with these dealers and hold back the harm for he can inflict on them for defaulting, and give up the juice in return for those mangos and musk melons?

Praise be to Allah Ta'ala! When this is what a crusher owner will demand, how can we expect to avoid severe torment for debts to the King Of Kings and the Greatest Of all Rulers?. There cant be any

Doubt!.

Muhammad Bin Mubarak Bin Tabakh in his 'Juzil Imla', Usman Bin Abi Shaiba in his 'Sunan', Abu Naim in 'Hilyatul Awliya', Hannad in 'Fawa'id', and Ibn Jareer in 'Tahzaibul Asar' report from Abdur Rehman Bin Sabit, Zaid Bin Zubaid Bin Haris and Mujahid: - "At the last breath Sayyidina Siddique Akbar, the Caliph of Allah Ta'ala's Messenger (Sallallahu Ta'ala Alaihi Wa Sallam) called Amirul Momineen Farooque Aazam (Radi Allahu Ta'ala Anhum) and said: "Umer! Always fear Allah Ta'ala and know that there are some duties due to Allah Ta'ala by day, but if you perform them by night, he will not accept them. Some are due by night, if you perform them in the day, they will not be acceptable."

Allama Ibrahim Bin Abdullah Yemeni-Madni-Shafii has mentioned his incident in the 13th Chapter of his book 'Al Qaul us-Sawab Fi Fadle Umar Bin ul Khattab' (On the excellence of Umar Bin Khattab) and in the 19th Chapter of the Book 'Attahiqiq Fi Fadl as-Siddique' (On the Excellence of Siddique) and this is in the first part of the book 'Al-Iktifa Fi Fadlil Arbatul Khulfa' (On the Excellence of four Caliphs). Imam Suyuti (Rahmatullahi Alaih) has also reported this in 'Jami al Kabeer' through the statements of Abdur Rehman Bin Sabit, Zaid Bin Zubaid Bin Haris and Mujahid that they made which begin, "At the moment of his last breath Farooque Aazam Attended him and soon."

Gausul Aazam Sayyidina Sheikh Abdul Qadir Jilani (Radi Allahu Ta'ala Anhu) has given heart-breaking example in his book 'Futuhul Gaib' of persons who give up Fards and perform Nafils. He says his example is this : A king calls a person for his service but he does not attend him and remains busy in the service of his slave. Further he illustrates this with an example from Amirul Momineen Sayyidina Ali (Karamallahu Ta'ala Wajhul Karim) when he says:

- " The condition of such a person is like that woman who is pregnant but at the time of delivery, has an abortion. Now she is neither pregnant nor the mother of the child due to the abortion on the day it was due. She suffered all the pain but the result was zero. Had she borne the child, it itself would be the result. If the pregnancy had remained, there would be a hope. Now there is neither the pregnancy, nor the child, nor hope, but all she has is the pain. Similarly, the money which was spent by the performer of the charity is unacceptable as Nafil, since he gave up the Fard. He spent his wealth but gained nothing. In the same book there is a statement of Hazrat Ali (Radi Allahu Ta'ala Anhu): - Those Who abandon the Fard and do the Sunnat and the Nafil will be humiliated and these deeds will not be accepted."

Likewise Shaikh Abdul Haque Muhaddith Dehlvi (Radi Allahu Anhu) stated in the commentary on it: - " It is quite unwise to perform unnecessary deeds, giving up the compulsory and the necessary. For a wise person, to remove loss is more important than to make a gain. In fact there is no gain this way."

Hazrat Shaikh Shahabuddin Suharwardi (Radi Allahu Ta'ala Anhu) quotes in 38th chapter of 'Awarif' with reference to Hazrat Khawas: - " We came to know that Allah Ta'ala dose not accept even a single Nafil unless the Fard are performed. Allah Ta'ala says to them that they are like a bad slave who offers a gift before paying a debt." The Hadith itself shows it. Imam Ahmed reports in his 'Musnad' from Ormara bin Hazam (Radi Allahu Ta'ala Anhu) that the Holy Prophet (Sallallahu Ta'ala Alaihi wa Sallam) says; " Allah Ta'ala has placed on us four duties in Islam. Even the Performance of three of these will not benefit you unless you perform all four – Salaat, Zakat, Fasting in Ramadan And Hajj."

Tibrani reports in 'Kabeer' a Sahih Hadith that says that Sayyidina Abdullah bin Masood (Radi Allahu

Ta'ala Anhu) says: -

" We have been ordered to perform Salaat and to pay Zakat and he who doesn't pay Zakat, his Salaat is not acceptable."

Praise be to Allah Ta'ala. When Salaat, Fasting and Hajj are not acceptable from someone who fails to pay Zakat then what good in this life can be expected from Nafil? On the other hand Asbahani reports from the same reporter: - "He who performs Salaat and dose not pay Zakat is not a true Muslim and his performance is of no use.

May Allah Ta'ala Guide the Muslim. Ameen!"

Also note! Whether charity he gave, (he Build a Mosque, and registered a village as a gift), he may neither take the charity back nor has he the right to withdraw the registered gift nor use the profit of the village to pay Zakat nor use it for his own purpose and other deeds because the Waqf is definately encumbered.

This is quoted in "Durr al Mukhtar" :-

"The Waqf becomes compulsory (Allah Ta'ala's property) and its repudiation is unlawful. Its possession is not lawful and this is the Islamic Judgment."

But despite that, unless Zakat is completely paid, there is no chance of the acceptance of the performance of those deeds. This is because a deed may be correct but it will not be accepted and obtain any reward in Allah Ta'ala's Court.

For Example, if a person prays only for show, the prayer has been correct and the duty has been performed but neither will it be Acceptable nor he will get the reward but on the other hand, he will be guilty. The condition of this person is similar.

Satan who is a clear enemy of man and aims to destroy you completely and to cut the little thread of intention to do charity which causes a gain to the

poor, will make you believe the clever remark "What is the use of charity which is not acceptable?" Reject it, then, and serve Satan Completely!. But if Allah Ta'ala is willing to free you from such severe temptation, He would put in your heart that it was not the answer of the religious law that the enemy of Islam taught you and thus, Finally made you proud and a traitor. You must work hard and avoid the Royal Verdict condemning you so that the hope might rise of the acceptance of your charity, and of the construction of the Mosque and also of the registered gift. Think awhile. Is it better that your failure be changed into success and bring a new result or (Allah Ta'ala Forbid!) Better to be rid of the so-called remaining service of Allah Ta'ala and to find yourself in the list of those who are proclaimed traitors. This is the only Right Path; beg for pardon heartily and pay the up to date Zakat so as to obey and appease Allah Ta'ala so that your name may be written in the list of the Obedient slaves of Allah Ta'ala, being struck from the list of Traitors and thus find a way of coming proudly before your Affectionate Lord who had granted you your Soul, Organs and Millions of Blessings, and thus get the good news that if you do so, there will rise a hope of the acceptance of your up to date charity, of the registered gift, and of the construction of the Mosque, which gifts were not acceptable because of your mistake. Now, when these crimes have been wiped out by Allah Ta'ala's Order, this will also have the honor of acceptance and this is the only remedy for anyone thinking about his success or failure. If, because a long time has passed, you cannot calculate the accurate amount of Zakat, you should calculate an excess amount to purify the life of the Hereafter.

If you pay excess money, it will not be wasted but will be deposited with your affectionate Lord in case something happens to you. He will Grant you a

complete reward beyond your imagination. If you pay less than the due, then this is a debt to the Triumphant King and there is no difference between a debt of one penny and of one thousand and pennies. If there is due a huge amount, owing from many years and giving so much will upset you, then first of all think seriously that this is omission you yourself made. If you had paid year by year, it would not have been so great. Further see the kindness of the Affectionate Lord that He did not Order you to give only to stranger but allowed giving to relations; one for charity and the other for pity. So give it to those who are your kith and kin such as Brother and Nephews and this will hardly displease you but remember that they should neither be rich now minor children nor have rich living father, neither should you have a direct blood relation with them i.e. they should not be amongst your offspring. But if this amount is so great that after payment you will become penniless still there is no remedy other than to pay. To suffer severe verdict of Allah Ta'ala will be beyond your ability to bear. The few Breaths of this world will pass by somehow or the other. But still if this person gives charity to his relatives with the intention of Zakat and makes them absolute owner, but then without any compulsion they show mercy on him and of their own free will, return the amount as a present, there is a total gain for all. The payer gets liberation from the condemnation of Allah Ta'ala, his debt and duty have been paid and done and his wealth remains, and his relative gain wealth in this world and reward for the Hereafter on account of helping their Muslim Brother in the payment of Zakat and returning him the wealth as a gift which shows pity. Further if he has complete confidence in his relation, he need not calculate how much is due, but give them his total wealth and make them absolute owner so that then they can return it to him if they

so choose, as a gift. Whatever was due, was paid had achieved its aims both parties have gained the profit of this world and of the Hereafter.

May Allah Ta'ala Guide us with His Generosity! Amen, Amen!

Question. 2: Should Zakat be paid gradually or is there any harm in lump sum payment?

Answer. 2: If he pays Zakat in Advance then the year will not yet have passed, so that the fulfillment of Zakat would become Obligatory. He may be either owner of the 'Nisaab' (The Owner of gold or silver or article of trade beyond basic needs for life), but the year has not yet come to an end, or have paid Zakat for the last year and the current year is not over, clearly then he has the full right to pay little by little. In fact there is no harm in it all, because the fulfillment of Zakat has not become obligatory by that time. It is stated in 'Durr Of Mukhtar' that for the fulfillment of the obligation of Zakat, your wealth must be in your possession for the whole year. If Islamic Law doesn't demand payment from him until then, how can it then demand a lump sum payment? Advance payment is 'Nafil' so that one will get more reward due to advance payment when both 'Nafil' and 'Fard' have been fulfilled. And it is clear that the 'Nafil' is not compulsory. But if the year has passed and fulfillment of Zakat has become obligatory then gradual payment is prohibited but rather one must pay the complete Zakat immediately, as according to genuine doctrine and justified and reliable verdict, the obligation of Zakat must be Fulfilled at once and delay is a matter of sin.

On the other hand many of our Imams (Religious Chiefs) have made it clear that one who pays the obligation of Zakat late cannot be a witness in an Islamic Court. The same is reported from Sayyidina Imam Muhammad (Rahmatullahi Ta'ala Alaih). Once

it is obligatory, the harm of gradual payment is more obvious than the sun and even if he once delays immediate payment, he will become sinful. According to the doctrine of 'Tarakhi' (i.e. Whose Doctrine teaches paying at the last moment) this delay is also improper because there are calamities in delay.

Allah Ta'ala says: -

- 1) "And run toward the Forgiveness of your Allah Ta'ala"(3.3)
- 2) "Then Desire that you may surpass other in good deeds."(2.148)

No one knows, of course, when they will die. If death comes before payment, than by the consensus of Muslim Opinion, the deceased will become sinners. If one suffers a financial and bodily accident, who can then protect themselves against Satan when they cannot protect themselves against Satan even when he moves alone with the human blood?. He may deceive, and the intention to pay today may vanish tomorrow. Sayyidina Hazrat Imam Muhammad Baqar (Radi Allahu Ta'ala Anhu) had a fine jacket sewn. He went to the bathroom, and there he thought of giving it away in the way of Allah Ta'ala. He at once called the attendant. The attendant approached the bathroom. Hazrat took off the jacket and gave it to him and ordered him to give it to such a person. When he came out of the bathroom, the attendant enquired of him respectfully the reason for so much hurry. He asked whether anyone could know whether the intention would change before he came out. Praise be to Allah Ta'ala, this was the caution of a person who was brought up in the cradle of the Verse "Verily over My Bondmen, you (Satan) have no control" and took a bath in the river of the Verse saying "Allah Ta'ala only desires of the members of the family of the Prophet (Sallallahu Alaihi Wa Sallam)

that He may remove from you every uncleanness and purify you well after thorough cleaning." And we who are merely a game in the hand of Satan, are so lacking in fear and ready to do Evil!

I think certain ideas persuade people to pay little by little. Sometimes there comes an idea that they should pay this Zakat at that time is more suitable for the needy person. Sometimes an idea comes to their mind that since the poor persons come in such large numbers, it is the best to keep this money for them and give it to them as time goes by.

Sometimes payment in a lump sum causes a burden on the self and one thinks if it is paid little by little, it will not be felt so much. Those who think this way should pay the due in advance and this is the only way to save themselves from such ideas.

For Example, if the due time is the Ramadan Of 1308 Hijra, they should begin to pay from the Shawwal (10th Islamic Month) of 1307, and go on paying little by little. In this way it may suit their convenience so that they may achieve their aims and remain safe from blame and from the prohibition of delay.



THE PROHIBITION OF FUNERAL FEAST

Question: What is the Verdict of the Ulema on the custom in many cities of India that the Ladies belonging to the family of the friends and relatives of a dead person gather at his home from the day of his death in the same way they gather for marriage ceremonies. Among them some return till the funeral rites on the fourth day of his death. During this period the members of the family of the dead persons provide their meals, betel and nut etc. this causes them excessive expenditure. If at that time they are penniless, they borrow Money for this purpose and if they fail to get a loan, borrow money at Interest. If they do not do so, they are blamed and slandered. Is this allowed in Islam or not? May Allah Ta'ala Reward you?

Answer: Allah Ta'ala be praised! Believers ! Your question is whether this is allowed in Islam or not? You should ask about how this dirty custom includes many ugly and harsh aspects and burden some and wicked Evils in it.

First, this feast is its unlawful and a bad and evil heresy. Imam Ahmad in his "Musnad" reports from Hazrat Jareer bin Abdullah Bajli (Radi Allahu Ta'ala Anhu): -

"To gather and prepare food at the house of the dead person, we, the group of the companion of the Holy Prophet (Sallallahu Alaihi Wa Sallam) considered to be lamentation, to the unlawfulness of which continues Hadith are categorical witness."

1. Imam Hummam says in Fathul Qadeer Sharh-e-Hedaya; - "The Feast given by the members of the family of the dead person is forbidden as Islamic law has allowed feasts on the occasion of rejoicing but not on the occasion of sorrow; and this is bad heresy."

2. Likewise Allama Hasan Shrubulali stated in Maraqi Al Falah; - "The Feast given by the members of the family of the dead person is disgusting because a feast is necessary on an occasion of joy, and not on occasion of sorrow and this is a bad heresy."

3-8. Its unlawfulness is obvious from Fatawa Khulasa, Fatawa Sirajiya, Fatawa Zahiriyya and Fatawa Tatarkhaniyya.

About its unlawfulness there are almost the same words in Khazanatul Muftieen, Kitab ul Khairiyya (In the Chapter of abomination from Fatawa Zahiriyya in Fatawa Hindiyya from Tatarkhaniyya). The words of the following reference come from Fatawa Sirajiya; "A feast on the third day on an occasion of sorrow is not allowed."

There is more in Fatawa Khulasa that: - "A feast is a necessity on an occasion of joy."

9. It is stated in Fatawa Imam Qazi Khan (Kitabul Hazr Wal Ibaha, the Chapter of Prohibition and Permission): "A feast is Prohibited on an occasion of Misfortune, as these are days of sorrow, and that which is done on an happy occasion, is not worthy of this."

10. It is stated in Tabyyinal Haqaique by Imam Zailiy: - "There is no harm in gathering for three days or more at the house of the dead person provided no prohibited act is done such as serving the meals paid from the dead person's wealth etc, as a formality."

11. Imam Bazzazi says in Wajeez: "The meals which are prepared on the first day or on third day or a week after the death are all disgusting and prohibited."

12, 13. Allama Shami says in Raddul Mukhtar that the Merajul Daraya an annotation on the Hedaya has discussed this issue in detail and stated: "These are acts of show and of seeking fame and one should Refrain from such acts."

14, 15. It is stated in Jami Ur Ramuz and Akhrul Karahiyya: "To sit in the Mosque to receive condolences for three days or less is prohibited and even a feast and its meals are also prohibited during

these days”.

16,17. It is stated in Fatawa Anqarwi and Waqeatul Muftieen: “A three day feast and its meals are disgusting because a feast is only lawful on an occasion of rejoicing.”

18. It is stated in Kashful Ghata: - “Feast and cooking food for the mourners by members of the family of the dead person are disgusting. All reports agree on it because it is difficult to prepare the food.”

It is also reported from above: “The custom that afflicted persons prepare the above meals for the funeral rites on the third day of the death and distribute them among the mourners and friends is not allowed and is unlawful. This has been made clear in Khazanatul Muftieen that this is prohibited because a feast is only permissible on an occasion of joy, not on an occasion of sorrow, and this same reason is well to the majority of the people.”

Secondly, among the heirs there may perhaps be only an orphan or another minor child and other heirs may not be present, and if permission isn't taken from any one of them, than this act is classed as oppressive and strictly unlawful.

Allah Ta'ala says: - “Those who consume the property of orphans unjustly fill their bellies with fire only, and they shall soon enter the Flaming fire.” (Al Nisa: 10). Any ownership of another's property without permission is itself not allowed.

Allah Ta'ala says: - “And do not eat up unjustly the property of each other among yourselves.” (2:188) Particularly to waste the property of a minor child whom himself has no right to use it. And also neither do his father nor the executor have this right, is totally unlawful and to involve oneself in calamity. If there is an orphan amongst the heirs of the dead person, this calamity is more severe. May Allah Ta'ala protect us !.

If Food is cooked to give to poor persons, there is indeed no harm but rather it is good, provided that some sensible and adult person dose this act with his

own money, but if this is done with the legacy, all the heirs should be adult and present on this matter.

1-4. – It is stated Khaniyya, Bazzaziyya, Tatar Khaniyya and Hindiyya – “It is good if the food has been cooked for beggars provided that all the heirs are adult but if there is any child amongst them, do not prepare meals from the legacy.”

5. – Further it is stated Fatawa Qazi Khan: - “If the Guardian of the dead person prepares meals for beggars it is better, but if there is any minor among the heirs, do not do this with the property of the legacy.”

Thirdly, if these women gather and perform unlawful acts such as weeping and mourning bitterly and hiding their faces for deceit and other such acts, than these are classed as lamentation, which is unlawful.

Provision of meals to such a gathering by relatives and friends of the dead is unlawful and is a help to sin.

Allah Ta'ala says – “And help not one another in sin and transgression.” (5:2).

“The arrangement of meals by members of the family of the dead person, is completely unlawful, and so the agreement to the meals for this unlawful crowd will be more unlawful.:

It is stated in Kashful Ghata – “The cooking of meals on the second day of the death by the members of the family of the dead person, if there is a crowd of mourners, is disgusting because this is a help in sin.”

Fourthly, due to this bad custom, people are compelled to spend money beyond their capacity. The members of the family of the dead person, forgetting their sorrow, are involved in this calamity when they provide food, betel and betel nut etc. For this purpose often they need to borrow money. Such borrowing is not liked by Islamic law even for a Mubah (Permissible) deed and not at all for an unlawful custom. Further due to this act the difficulties that arise are themselves obvious and if the loan is taken at interest, it has been

Haram (Unlawful)!. May Allah Ta'ala Forbid !. He gets all the Lord's curses, because to pay interest, as is witness by Sahih Hadith.

In short, there is no Doubt of the Evil and Prohibition of this custom. May Allah Ta'ala Guide the Muslim so that they completely give up such a bad custom, which is harmful for their worldly affairs, beliefs and religion. And Allah Ta'ala is the Best Guide!

Warning: - It is Masnoon (Sunnat) for relatives and neighbors to send food on the first day for the members of the family of the dead person sufficient for two meals and to encourage them to eat (because due to sorrow they will not like to eat). But sending this meal only for one day (Two Meals) is Sunnat. This meal should not be for the gathering as this is strictly prohibited.

It is stated in Kashful Ghata – " To send enough meals, for the members of the family of the dear persons and to feed them continually with food provided by friends and neighbors for one day and night is Mustahab. To take meal for other then the members of the dead person is disgusting."

This is stated in Fatawa Alamgiri – "To provide meals for the afflicted persons and to eat in their company on the first day is allowed only because they are busy in funeral rites and ceremonies. After this it is disgusting. It is also stated in Tatar Khaniyya to the Same Effect."

Allah Ta'ala Knows The BEST!

Question. 2: What is the verdict on preparing meals which the members of the family of the dead person prepare for a feast at funeral rites up until the third day after death. Also what is said about taking puffed sugar drops, which are purchased for funeral rites on the third day?

Answer. 2: Such food in the house of the dead person is undoubtedly not allowed as I have stated in my Verdict in detail. But bread and puffed sugar drops for

the funeral rites of the third day are not brought for a feast, but with the intention to send a reward to the dead person, and so this not included in this command in my Verdict. If this has been brought for the poor only, then rich persons are not allowed to eat it, but if this has been brought to distribute among the general participants, than if the rich person also takes it, that will not be sinful. If, as customary that bread and puffed sugar drops are not specially for the poor, then it is allowed for the rich to take them. But Abstention from taking is more desirable and I have done this for a long time.

Allah Ta'ala Knows the BEST!

Question. 3: When we visit a Wali's (Saint's) Shrine, how do we pray (Fatiha) there and what should be recited in the Prayer (Fatiha)?.

Answer. 3: When you visit the Shrines of Awliya, go from the foot of the Shrine and Stand facing the head of the Shrine at a distance of about six feet and greet them respectfully with a voice neither loud nor quiet saying "Assalamu Alaikum Ya Sayyidi wa Rahmatullahi Wa Barakatuhu", and then recite Durood e Gausia (*Allahumma Salli A'la Sayyidina Muhammadin Ma'danil Joodi Wal Karami Wa A'la Alihi Wa as haabihi Wa barik Wa Sallim*) Thrice. Al Hamd Shareef once, Aaytal Kursi once, Surah Ikhlas seven times and if there is enough time, recite Surah Mulk and Surah Yaseen too, and pray to Allah Ta'ala; "O' Lord ! Give as much reward for this recitation as is worthy to your Grace and not as much is Worthy to my action and convey it to this your Favorite slave as offering." After this make Dua for your lawful good desire, and make the Saint Sleeping in this Shrine a means in the court of Allah Ta'ala and then after offering the Greeting, return in the same way. Don't touch the Shrine or Kiss it. Walking round it is unanimously forbidden and prostration is purely Haram. And Allah Ta'ala Knows BEST!

